

DOCKET FILE COPY ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

FILED/ACCEPTED

JAN - 7 2008

Federal Communications Commission
Office of the Secretary

In the Matter of)	
)	
Amendment of Service and Eligibility Rules for)	MB Docket No. 07-172
FM Broadcast Translator Stations)	RM-11338
)	
)	

COMMENTS OF NORTHEAST INDIANA BROADCASTING, INC.

Northeast Indiana Broadcasting, Inc., licensee of standard broadcast station WAWK, Kendallville, Indiana, by its attorney, hereby submits these comments in support of the Commission's proposal to permit daytime-only AM stations to operate FM translator stations.

Station WAWK, operating on 1140 KHz as a Class D station with daytime power of only 250 watts, has provided local radio service to the small community of Kendallville for over 50 years. Unfortunately, that service has been severely limited by the inability of WAWK to broadcast at night. This handicap has been a distinct disadvantage to area residents because local listeners do not receive local news, sports and public affairs from any other radio station. WAWK is the only standard broadcast station licensed to Kendallville, and although an FM station is licensed to the community, that station's studio is located in Fort Wayne and its format does not focus on Kendallville.

Northeast Indiana Broadcasting filed comments in support of the Petition for Rulemaking filed by the National Association of Broadcasting ("NAB") and was gratified to see the Commission initiate rulemaking designed to alleviate the technical burden under which WAWK has operated for so long. Clearly, WAWK has operated at a competitive disadvantage vis-à-vis other nearby radio stations, but WAWK's main concern with its service has been the fact that it has been unable to provide public safety information and announcements for nearly half the day, particularly when residents are going to and from work and school. As evidenced by a sample of the attached letters received by the station with respect to the possibility that WAWK might be

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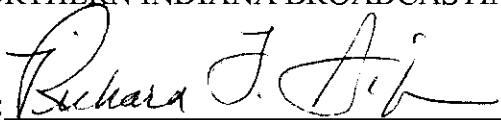
able to broadcast such information 24 hours per day, this has been a public service sorely lacking in Kendallville and one which is much desired.

WAWK believes that it is in the public interest for an FM translator licensed to a daytime-only AM station to broadcast 24 hours per day. At present, WAWK broadcasts daily from a minimum 9 ½ hours to a maximum of about 15 1/4 hours. It does not make common sense for an FM translator associated with WAWK to be turned off and on, particularly during the winter months when the station only broadcasts a little more than a third of the day. Further, because a standard broadcast station is subject to interference from storms and other static producing agents, it is critical to have an alternate and reliable means of reaching the public when extreme weather events and the like interfere with reception. In consequence, Northeast Indiana Broadcasting submits that full day operation of an FM translator by a daytime station is necessary to provide a meaningful service to listeners. In that respect, such a translator should be permitted to originate programming during the full day and, particularly, at night when WAWK must leave the air.

The attached statement of Scott "Pawl" Pawlowski, Program Director of WAWK, gives a vivid description of the obstacles WAWK has faced in getting information to the public via a daytime-only standard broadcast station. Northern Indiana Broadcasting believes that adoption of the translator rules proposed by the Commission in this proceeding is critical to the welfare of the citizens of Kendallville and of the surrounding area. In consequence, the Commission is urged to make those changes in the rules which would allow WAWK to enlarge and fulfill its enduring commitment to the community.

Respectfully submitted,

NORTHERN INDIANA BROADCASTING, INC.

By: 

Richard F. Swift
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209
Phone: (703) 812-0443
Fax: (703) 812-0486

January 7, 2008

Letters

STATE OF INDIANA
HOUSE OF REPRESENTATIVES
THIRD FLOOR STATE HOUSE
INDIANAPOLIS, INDIANA 46204

Marlin A. Stutzman
Assistant Minority Whip
0250 West 600 North
Howe, IN 46746
website: www.in.gov/h52

COMMITTEES:
Agriculture & Rural Development
Family, Children and Human
Public Policy

October 2, 2007

To Whom It May Concern:

I am writing this letter in support of the radio station WAWK in Kendallville, Indiana. This station currently is only on the air during daytime hours. I understand that the opportunity may exist for the station to expand and broadcast through the night, 24 hours a day and 7 days a week.

The station is already important to the community, but would become an enormous asset if it is able to expand. By being on the air during all hours of the day, the Noble County area would have access to a media outlet that provides important information concerning weather related warnings, local disasters, and other important information that needs to be available to the public immediately. It is imperative that this station is always on the air because it will serve the community in ways it has never seen. Citizens should have numerous outlets for learning about local events and incidents that are taking place. A radio station that has goals of serving its local neighborhood would be beneficial to the safety and well-being of those who live in Kendallville and Noble County.

I appreciate your taking the time to read this letter and consideration for expanding WAWK in Kendallville, Indiana. Please feel free to reach me if you would like to discuss this matter with further.

Sincerely,



Marlin Stutzman
State Representative

MS:rh

City of *Kendallville*

Office of the Mayor, 234 South Main Street, Kendallville, IN 46755

Phone (260) 347-0352

Fax (260) 347-7058

E-mail: mayor@kendallville-in.org

September 26, 2007

To Whom It May Concern:

I am writing this letter to advocate extending the hours of operation for WAWK AM 1140 Radio Station in Kendallville, Indiana.

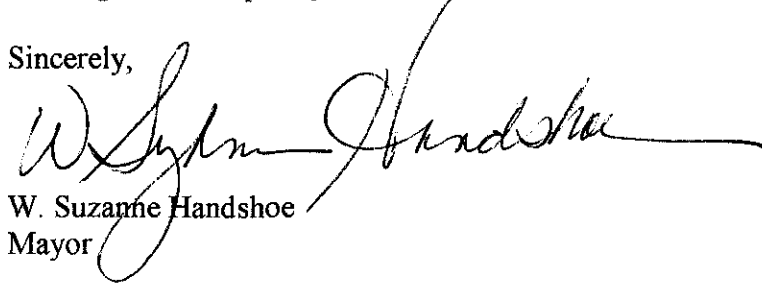
WAWK AM 1140 is a trusted local radio station that has been on the air for over 50 years. During the blizzards of 1978 it was the only source of information for most citizens of our small community of 10,000.

Currently, the city is in the process of upgrading our emergency early warning system to have a means of giving an all hazards warning in the event of any type of an emergency. WAWK would be assisting our citizens with continous information regarding whatever the situation would be.

They are the trusted source for school delays or closures or when an emergency arises that closes a road or street they immediatlly communicate this to the public. Extending there hours not only assists the citizens it give us another tool to utilize during an unforeseen emergency.

Please give this request your serious consideration.

Sincerely,



W. Suzanne Handshoe
Mayor

City of Kendallville

234 S. Main Street
Kendallville, IN 46755-1795

September 27, 2007

FROM: Robyn A. Wiley
Chief of Police
Kendallville Police Department

TO: Federal Communications Commission

SUBJECT: WAWK Radio, Kendallville, Indiana

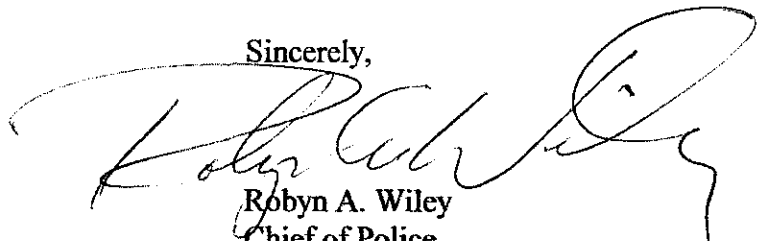
I understand that WAWK Radio has initiated a request to expand its broadcast hours for the Kendallville area. I would like to express my support for the expanded hours and the benefits that it will bring to the Kendallville community.

During my two years as the Chief of Police I have had many opportunities to work with Don Moore and the WAWK staff. WAWK has been very supportive of the community and has made a significant effort to present varying view and topics that affect the local area. The police department and many other local organizations have been afforded the opportunity to appear on the "Behind The Mike" program to make the community aware of various programs and opportunities available to the citizens.

WAWK is Kendallville's only local radio station and it makes a special effort to bring local news and events to the forefront. The station sponsors various events, including the Kendallville Home and Garden Show. Helping to bring a local flavor to the radio is a significant benefit to the City of Kendallville and Noble County.

Expanding the broadcast hours for WAWK would not only be beneficial to the radio station itself, but would continue to improve the quality of life in the Kendallville and Noble County area.

Sincerely,



Robyn A. Wiley
Chief of Police
Kendallville Police Dept.



OFFICE OF THE SHERIFF OF NOBLE COUNTY

Gary D. Leatherman
Sheriff

September 28, 2007

Don Moore
WAWK AM Radio
East Avenue
Kendallville, IN 46755

Re: 24 Hour Broadcasts

To Whom It May Concern:

I understand that you are initiating steps to making the WAWK radio station a 24-hour operation. For the citizens of Noble County, as well as others in listening range, it would be a much needed change for a multitude of reasons.

Simply from my perspective as an intricate part of emergency responses within the county, any emergency information that can be passed on quickly and sometimes continuously to the public is very important to the safety of everyone concerned. All too often, larger communications media outside of Noble County are either not interested or too busy with other issues to focus on our particular problem.

Whether it is a snow emergency, incidents involving hazardous materials, flooding or in the case a few weeks ago of potential problems facing the Sylvan Lake Dam due to heavy rainfall, it is information that is vital to our citizens' well being.

Anything I can do to be supportive of your endeavor, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary D. Leatherman", is written over a circular stamp. The signature is fluid and cursive.

Gary D. Leatherman
Sheriff

Sheriff's Office

210 South 7th Street, P.O. Box 22

Albion, Indiana 46701

(260) 636-2182

FAX (260) 636-3923

Communications/Warrants

FAX (260) 636-3181

Confinement Center

(260) 636-6404



"WE CARE"

Kendallville Fire Department

Fire Chief

Mike Riehm

304 E. North St ~ Kendallville, IN 46755

Phone 260-347-5010 ~ Fax 260-347-7035

fire@kendallville-in.org

mriehm@kendallville-in.org

October 4, 2007

To whom it may concern:

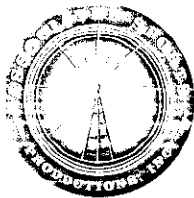
As Fire Chief of Kendallville Fire Department, I would like to voice my support for longer hours of operations for local radio station WAWK 1140AM. WAWK plays a vital role in the emergency planning for the City of Kendallville as part of the notification system for emergencies. Being it a snow storm, thunderstorm, tornado, or train derailment. As we have a double rail system running thru our city.

While the city has updated half of its outdoor warning system with new sirens this is only one aspect of warning citizens. The city's commitment to emergency preparedness has been focused upon for the last four years with additional training, update of emergency plans, participating in District and Regional plan for the safety of our community.

Radio and television play a major role in community notification of any type of emergency. Longer hours for WAWK along with being a local radio station can better serve this community; than the regional stations that are located 30 miles away that are more focused on their regional needs.

Sincerely,

Mike Riehm
Fire Chief



33 S. Pennsylvania Street, Suite 190, Indianapolis, IN 46204
P 317/633-1402 F 317/633-1401

October 5, 2007

To whom it may concern:

I write this letter in behalf of Associated Sports Productions, the company that manages tournament rights fees and broadcasts for the Indiana High School Athletic Association.

Associated Sports Productions communicates with several radio stations throughout the school year to help coordinate IHSAA tournament broadcasts. WAWK has been and continues to be a radio station dedicated to broadcasting high school sports during the regular athletic seasons and IHSAA tournament seasons. WAWK is also one of over 50 dedicated radio affiliates to join the IHSAA / Methodist Sports Medicine Championship Radio Network.

WAWK diligently schedules time for sports programs throughout the school year, such as: football, girls basketball and boys basketball state tournament broadcasts, tournament pairings shows and weekly *Indiana High School Sports Report* shows. However, WAWK is unable to carry some of these exciting broadcasts due to limited station air time. It is important for WAWK to be able to broadcast high school sporting events, IHSAA tournament events and other sports related programming during extended operating hours because of the positive effect their broadcasts have on so many student-athletes, family, friends and Kendallville community members.

The IHSAA is very proud of the more than 160,000 student-athletes in Indiana. The IHSAA is also very grateful for the Kendallville community and their support of high school athletics, namely WAWK's local radio coverage.

It is important for WAWK to continue their local radio coverage of high school sports because it directly benefits the student-athletes, family, friends and Kendallville community members. I hope you will take the time to consider the importance of extended broadcasting hours for WAWK.

Sincerely,

Liz Milne
Broadcast Coordinator
Associated Sports Productions

NOBLE COUNTY EMERGENCY MANAGEMENT AGENCY

Michael Newton, Director
210 S. Seventh St, PO Box 8
Albion, IN 46701
Office: 260/636-2938 Cell: 260/347-7378
E-Mail: mnewton@nobleco.org

September 25, 2007

To Whom It May Concern:

I am writing this letter to strongly voice my support for the extension of hours of operation for WAWK AM 1140 Radio Station in Kendallville.

The tragedies of September 11, 2001, the emerging threat of terrorism, and the danger presented by naturally occurring events have re-emphasized the need for public officials to communicate effectively with the public in a timely manner. I once read that the measurement of effective public information is to "get the right information to the right people at the right time so they can make the right decision."

To reach the most people, you must have a consistent means communicating information that people can easily access. Beyond that, you must educate the public on where this information will be made available. Regularly scheduled extended hours would do just that. I understand their may be a chance of having some FM capabilities also and that would only increase their effectiveness.

WAWK AM 1140 is a trusted source of information for Noble County and the surrounding-area residents that has been used consistently to communicate matters of public safety in a disaster. They have demonstrated their commitment to serving the Noble County community I believe since the mid-50's.

Please support them in their continued effort to be a service to our community,

Respectfully submitted,



Michael Newton, Director

FOUR COUNTY AREA VOCATIONAL COOPERATIVE



October 10, 2007

To Whom It May Concern:

The Four County Area Vocational Cooperative is requesting that you extend the broadcasting hours of Radio Station WAWK 1140A.M. to include evening hours. We are an educational cooperative that serves four counties covering 1200 square miles. We offer daytime and evening high school and college classes to adults and our facility is located in Kendallville, Indiana. We have had communication problems because of weather and emergencies because of the lack of nighttime hours of WAWK. Extended hours for WAWK would help fill the security and information gap for our students and with the recent problems at several colleges and schools in our country; we need the help of WAWK. Please consider extending the hours of WAWK to help us become more efficient in the education of our students.

Sincerely,

Fred Inniger

October 10, 2007

To Whom It May Concern:

I am writing in support of extending the broadcasting of Radio Station 1140A.M. WAWK to include nighttime hours. Our family relies on WAWK for local and emergency information. During the two tornado attacks on Kendallville, we were unaware of the approaching storms and one passed within a mile of our home. We were lucky that we were not in the path of the tornado but, we need WAWK to have evening hours. Also, our only source of evening emergencies and event changes is WAWK and we rely on this radio station for this information and for school information. Please help WAWK become a lifesaver to the Kendallville community.

Sincerely,

A handwritten signature in black ink that reads "Fred Inniger". The signature is written in a cursive style with a large, looped "F" and a stylized "I".

Fred Inniger



Oct. 23, 67

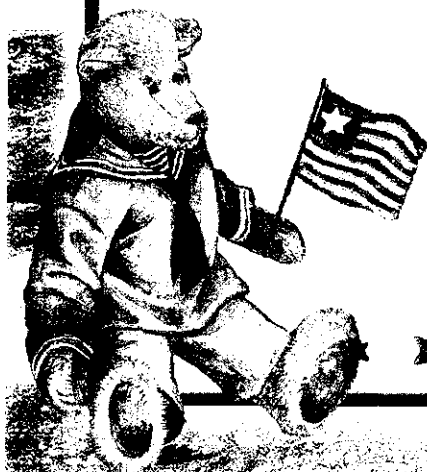
There is a great need for a radio station to be on the air 24/7.

This would be WASH 1140 Kershaw

It is needed to notify the community of emergencies such as storms, tornadoes, road closings, school delays and other important information.

The City of Kershaw and surrounding communities need a 24/7 radio service.

Many thanks
Joe Glenwood
Kershaw, SC





USA
Wilma Hayward
382 County Road 5
Cordova, MI 48730-9739



All of us out here
struggling to survive
Don't have all the high
Tech, latest supports, but
we still have to pay our
bills and taxes, and we
have a radio that we
can still figure out
how to turn on with
out having to go and
take a course to
enjoy it. Please give
us more time and leave
us something we can
count on to "be
there" when we need
it. Our choices are al-
ready almost depleted.

Thank you,
Wilma Jean Hayward

Sept 30, 2001

Don Moore,

We need more hours at WAWK.
In the winter I have to listen to
WOWO 77. Wayne until WAWK comes on
the air. There is no sense in this. I
want the local news and music early
in the morning.

Karel Moley
Albion, In.

Oct. 25, 2007

To whom it may concern

I am very much in favor of a 24 hour
broadcast time for WAWK in Kendallville
In.

It is very hard to get local news in
emergencies, like thunder storms and
snow storms. We need this

Thank you

Beverly Sparkman

P.O. Box 146

Rome City, In

46784

Statement

To whom it may concern,

I am the Program Director for a 250-watt daytime AM station in northeastern Indiana. We provide local programming for the four counties in this corner of the state, and especially for the small towns and communities that make up this area. Yet, in the winter we sign on the air after 7:00 am making it impossible to provide the school/work weather related announcements our community needs, forcing them to tune into stations 30-40 miles away. Sign off at 5:15 pm puts us off the air right when most people are getting off work and driving home.

We also cover local high school sports, but because of our restrictions, are unable to air most local sporting events live on the air, having to run them "tape delay".

Just last week, we had bad storms in the area with the nearby town of Nappanee taking extensive damage from a tornado. I had already signed off the air, shut the station down for the night, and gone home, when the tornado warnings were issued for our county.

We also provide traffic announcements for are highways including US 6 & US 20, Indiana State Roads 3 & 9, I-69 as well as the Indiana Toll Road. However, denied drive time, we are often unable to be effective. We have had major traffic accidents and even train derailments, some involving the possibility of hazardous materials being involved.

In this day and age, homeland security is a serious subject, and we take our public responsibility very seriously. But, as a major source for immediate information for this corner of the state, we are hamstrung by our current broadcast restrictions.

Please allow us a fair chance to compete as well as to serve our community by allowing us a FM Translator license.

Sincerely,
Scott "Pawl" Pawlowski
770 South Bend Drive
Rome City, IN 46784
(260) 854-9508